IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.10846 of 1996

Between:

G. Venkataswamy S/o. Gopalappa
R/o. Eddulapalle Village, Boyalapalli Post, Shantipuram Mandal, Chittoor District.

..... PETITIONER

AND

1 The Commissioner of Sericulture, Samrat Complex, Opp: A.G's Office, Secretariat Road, Saifabad, Hyderabad.
2 The Secretary to Government, Agriculture & Co-op Department Govt.

of A.P., Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction, or writ, particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent herein in cancelling the licence to the petitioner vide impugned proceedings Rc.No.6009/90-TM3, dated 23-04-1996 by not considering the facts and ground realities and also not verifying the payment of requisite licence fee for renewal by the petitioner before expiry of the due date of licence to his grainage and coming to her own conclusion without giving any opportunity to the petitioner that his unit is non functioning as illegal, irregular, contrary to the principles of natural justice, equity and fair play and set aside the same with a specific direction to renew the licence to the petitioner to run the M/s. Krishna Grainage Private Limited at Edulapally Village, Shantipuram Mandal, Chittoor District to produce CBDFLs and award the compensatory damages to the petitioner for cancelling the licence without issuing prior notice following due procedure prescribed as per rules and regulations and also not looking into the facts and verifying the payment of requisite fee for renewal of licence by the petitioner on 20-12-95 in the Sub-Treasury, Kuppam, Chittoor District.

Counsel for the Petitioner: MR.CH.GANESH (Not present)

Counsel for the Respondents: GP for Cooperation.

The Court made the following :

ORDER:

Challenging the action of the 1st respondent-Commissioner of Sericulture in canceling the licence to the petitioner to run M/s. Krishna Grainage Private Limited at Edulapally village, Shantipuram Mandal, Chittoor District to produce and supply Silk Worm Seed, the present writ petition is filed.

When the matter is taken up today, none appears for the petitioner. Learned Government Pleader for Cooperation appearing on behalf of the respondents submits that the licence issued to M/s. Krishna Grainage Private Limited, Edulapally to produce and supply Silk Worm Seed 10.00 lakh CBDFLs per annum is for a period of one year only i.e., from 25.12.1994 to 24.12.1995, and the said period of one year was already expired by 24.12.1995, nothing survives in this writ petition and the matter has become infructuous.

Recording the said submission, the Writ Petition is dismissed as having become infructuous. No costs.

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(N.V. RAMANA, J)

Date: 11.11.2004

Nsr

To

1 The Commissioner of Sericulture, Samrat Complex, Opp: A.G's Office, Secretariat Road, Saifabad, Hyderabad.
2 The Secretary to Government, Agriculture & Co-op Department Govt.

of A.P., Secretariat, Hyderabad.

3 Two CCs to GP for Cooperation, High Court of AP, Hyderabad (OUT)

4 Two CD copies.